

Appl. No. 10/808,744
Amdt. dated December 12, 2005
Reply to Office Action of September 19, 2005

REMARKS/ARGUMENTS

Claims 1-27 are pending in this application.

Independent claim 1 has been amended to recite that the sheet contains an aqueous solution of the deliquescent material. Support for this amendment can be found in the specification at page 2, lines 7-10. For purposes of Applicant's invention, a deliquescent material is defined as a material that forms an aqueous solution, which in turn is absorbed by the fibrous sheet. For dry wipes, the water absorbed by the sheet improves the soft feel of the sheet and can provide a moist feel as well. For wet wipes, the presence of the deliquescent material prevents the sheet from drying out, thus retaining sufficient liquid for use as a wet wipe.

Directing attention to the grounds for rejection, claims 1-27 stand provisionally rejected for obviousness-type double patenting as being unpatentable over claims 1-21 of co-pending Application No. 11/119,304 to Shannon et al. However, since Application No. 11/119,304 was filed after the filing date of this application and no claims are allowed, a terminal disclaimer in this application is not believed to be appropriate.

Claims 1-27 also stand provisionally rejected for obviousness-type double patenting as being unpatentable over claims 1-17 of co-pending Application No. 10/745,182 to Shannon. In order to remove this ground for rejection, an appropriate terminal disclaimer is submitted herewith.

Claims 1-27 stand rejected under 35 U.S.C. 103(a) as being unpatentable over JP 05105705, which discloses a fibrous product to be used as a desiccant or hygroscopic packing material that absorbs moisture. More specifically, the deliquescent salt is added with polymerizable monomers and a crosslinking agent. The monomers and crosslinking agent are then polymerized on the fibrous substrate. Consequently, the deliquescent salts are trapped within the crosslinked polymer matrix such that any water absorbed is also trapped within the polymer matrix and is not capable of being released to or from the fibrous substrate. This is supported by the Abstract, which states that "the composites absorb moisture without liquefying". Further support is found in the computer translation, which several times mentions that the product does not exhibit "liquid sagging" and that after moisture absorption the perimeter is not wetted [0026]. Although the translation reads awkwardly, it is clear that the reference teaches that the absorbed moisture is not present as a solution within the fibrous substrate. In effect, this matrix no longer represents a deliquescent material but rather a humectant material. For a dry wiping product, because the moisture is trapped within the polymer/salt matrix, it is incapable of being released to

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the substrate to provide a softening effect to a dry cellulosic sheet. Furthermore, the crosslinking would be expected to stiffen the sheet, which would be undesirable. In addition, for a wet wiping product, the moisture could not be released to the skin to provide cleansing.

In contrast to the materials of JP 05105705, Applicants are claiming a wiping product in which the fibrous sheet contains an aqueous solution of a deliquescent material. The presence of the aqueous solution provides the benefits desired for dry or wet wiping products. The presence of an aqueous solution is not taught or suggested by the teachings of JP 05105705. In fact, JP 05105705 teaches away from the presence of an aqueous solution by binding the salts into the matrix with crosslinking. Therefore claims 1-27 are believed to be patentable.

Please charge any prosecutorial fees which are due to Kimberly-Clark Worldwide, Inc.
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Respectfully submitted,

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